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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 12/15/2009

DAVID T. SHONEMAN
THOMSON LICENSING INC.
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PRINCETON, NJ 08543

EXAMINER	
SHAPIRO, LEONID	
ART UNIT	PAPER NUMBER
2629	

DATE MAILED: 12/15/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,250	10/12/2000	Thomas J. Quinn	5167	7005

TITLE OF INVENTION: GYROSCOPIC POINTER AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$0	$0	$755	03/15/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/642,250	10/12/2000	Thomas J. Quinn	5167	7005

TITLE OF INVENTION: GYROSCOPIC POINTER AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	$755	$0	$0	$755	03/15/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAPIRO, LEONID	2629	345-156000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☐ Issue Fee

☐ Publication Fee (No small entity discount permitted)

☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): **(Please first reapply any previously paid issue fee shown above)**

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Extension or Adjustment under 35 U.S.C. 154 (b)

A reissue patent is for "the unexpired part of the term of the original patent." See 35 U.S.C. 251. Accordingly, the above-identified reissue application is not eligible for Patent Term Extension or Adjustment under 35 U.S.C. 154(b).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	09/642,250	QUINN, THOMAS J.	
	Examiner	Art Unit	
	Leonid Shapiro	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *06/12/09*.

2. ☒ The allowed claim(s) is/are *1-48*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a) ☐ All b) ☐ Some* c) ☐ None of the:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
      3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
   (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
   (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

   Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Leonid Shapiro/ Examiner, Art Unit 2629	/Richard Hjerpe/ Supervisory Patent Examiner, Art Unit 2629

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the Specification:

Column 1, delete the paragraph between lines 31-38 and replace with:
--However, a mouse, requires a relatively large and flat 2-dimensional surface on which to move. Typically, this surface must be unobstructed and dedicated to mouse movement and measure over 9"x9"[. As] as a result. Other controllers, such as the trackball and joystick, are often used when flat surfaces are unavailable, as in the case of portable computers. However, trackballs and joysticks are constrained to use on a surface of practical applications. --

Column 1, delete the paragraph between lines 39-64 and replace with:

--Further, trackballs, joysticks, keys and mice are not mobile in free space nor do they provide three-dimensional output. One controller which is [mobil] mobile in space is taught by Ronald E. Milner in this U.S. Pat. No. 4,682,152. "Sonic Positioning Device," issued Jan. 25, 1990. This device senses the position of a controller device in three dimensions by sensing the position of an ultrasonic transmitter relative to an array of receivers. However, this device

is not a true pointing device as it senses position rather than a vector from the device. Since the controller must be repositioned in space, rather than simply reoriented, relatively large hand movements are required to define cursor movements. Another controller [mobil] mobile in free space, the Mattel Power Glove video game controller, incorporates two ultrasonic transmitters in a single controller and thus can determine a position [as web as] and define a "pointing" vector through the two transmitters. However, both of these ultrasonic controllers are based on ranging techniques and thus have range and resolution limitations. Specifically, both must be used in conjunction with an array of receivers to determine the exact position of the controllers. This results in reduced accuracy as the controller is moved to a position more distant from the receivers. Further, these controllers are only [use able] usable in an active volume of space defined by those receivers. Further still, both are limited to use in relatively noise-free environments. --

Column 2, delete the paragraph between lines 18-30 and replace with:

--Accordingly, it is desirable to provide a hand-held computer control device which has a long range and high resolution. Further, the controller should not be constrained to use on a flat surface or within a confined space. Further, it is desirable to have a controller which responds to a vector defined by the controller, i.e., responds to "pointing" of the controller, as opposed to merely detecting the position of the controller. It is desirable to have a controller which is self-contained and not subject to interference [form] from outside

sources of noise or subject to reduced accuracy as it is moved distant from an array of receivers.

Further, it is desirable to provide a controller that produces three-dimensional output.--

Column 4, delete the paragraph between lines 30-56 and replace with:

--Cabling 180 transmits power from an [interlace] interface box 185 to outer housing 175 and returns data signals from shaft angle encoder sensing optics 165. In the preferred embodiment interface box 185 translates signals from the optical sensing system 165 into serial data for an RS-232 port. Wall adapter 190 provides D.C. power for motor 105 and [shalt] shaft angle encoder sensing optics 165.

The construction details of the inner and outer gimbals [is] are shown in further detail in FIG. 2. FIG. 2 is an expanded perspective view of inner gimbal 115 and bearing 122. Inner gimbal 115 includes a circular plug 205 which fits within the inner race of bearing 122. A conductive pin 210, having a diameter smaller than that of plug 205, is mounted concentrically with plug 205 and electrically coupled to motor 205. Pin 210 is preferably made of a low-friction conductive material such as carbon-teflon and designed to protrude from the inner race of bearing 122. The diameter of pin 210 is smaller than the diameter of the inner race so as not to contact the inner race and to minimize the friction of the rotating contact. A stainless steel spring

215 is mounted to gimbal frame 135 and aligned with and in electrical contact with protruding surface 220 of pin 210.

Spring 215 is electrically coupled to a D.C. power source through outer gimbal 140. Spring 215 presses against pin 210 providing a low friction electrical connection between gimbal frame 135 and inner module 110. Inner gimbal 120 and outer gimbals 140 and 145 are constructed in an identical manner.--

Column 5, delete the paragraph between lines 10-20 and replace with:
--[And] A second optical pattern is machined into gimbal frame 135 along a cylindrical section 170 of gimbal frame 135. This pattern interacts with [shalt] shaft angle encoder sensing optics 165 for sensing rotation of gimbal frame 135 around its axis of rotation through gimbals 140 and 145. This cylindrical section is geometrically centered about the axis of rotation of gimbal frame 135, which passes through gimbals 140 and 145. As with the optical pattern on the inner module 110, the optical pattern on gimbal frame 135 is constructed by applying reflective paint to cylindrical section 170 and then machining grooves of 0.015 inch depth and width on the surface of the cylinder.--

Column 5, delete the paragraph between lines 31-67 and replace with:
--Shaft angle encoder sensing optics 165 interact with the optical pattern on inner module 110 so as to determine the rotation of the inner module 110 about its axis of rotation. More specifically, shaft angle encoder sensing optic

165 include sources for illuminating the patterns, lenses for focusing images of the patterns, and photodetectors for [detect a] detecting dark or light areas. Referring to FIG. 3, a first LED 305 is mounted to shock frame 160 at an angle of 30 degrees from vertical in a plane parallel to the axis through gimbals 140 and 145 so as to floodlight an area 310 of the optical pattern on inner module 110. This area is centered on the "equator" of frame 135 so as to provide maximum range of detectable movement in both directions. Lens 315 and mirror 320 focus and reflect the image of the illuminated optical pattern onto quad photodiode 325. Lens 315 is an injection molded lens of approximately 1/8 inch in diameter having a focal length of approximately 0.2 inches.

Quad photodiode 325 comprises four photodiodes, 402, 404, 406 and 408, located in a row as illustrated in FIG. 4. The sides of quad photodiode 325 are aligned with the edges of the projected image of the optical pattern on inner module 110. One period of the projected image of the optical pattern on inner module 110 (one light and one dark bar) nominally covers the quad photodiode 325, which comprise four photodiodes centered 0.02 inches apart. Photodiodes 402 and 406 are [counted] coupled to comparator [420] 410. Photodiodes 404 and 408 are coupled to comparator [410] 420. The output V 1 of comparator 410 is thus in phase quadrature with the output V2 of comparator 420. These outputs are then detected by conventional means to determine the rotation of the inner module. An example of phase quadrature resolution is provided in U.S. Pat. No. 4,346,989 titled Surveying Instrument,

issued to Alfred F. [Gori] Gort and Charles E. Moore August 31, 1982 and assigned to the Hewlett-Packard Company. A prototype of this embodiment of the present invention results in a resolution of approximately 100 counts per inch.--

Column 6, delete the paragraphs between lines 18-57 and replace with:

--Quad photodiode 345 comprises four photodiodes located in a row and is identical in construction to quad photodiode 325 illustrated in FIG. 4. The sides of quad photodiode 345 are aligned with the edges of the projected image of the optical pattern on gimbal frame 135. FIG. 5 is an illustration of the preferred embodiment of a gyroscopic pointing device 500 coupled to a computer 502 and computer display 505, Computer 502 is adapted so that changing the pitch of controller 500 relative to the gravity vector [charges] changes the vertical position of cursor 510 on computer display 505. That is, rotating the controller forward ("pitch") causes the cursor to drop on a vertical computer screen, rotating it back causes the cursor to drop on a vertical computer screen, rotating it back causes the cursor to rise, as if the controller was pointing at the cursor. Similarly, rotating the controller from side to side ("roll") changes the horizontal position of cursor 510 on computer display 505. That is, rotating the controller left causes the cursor to move left on a vertical computer screen, rotating it right causes the cursor to move to the right, again, as [it] if the controller was pointing at the cursor. Controller 500 further includes a thumb operated push button 520 and has a rounded hemispherically shaped bottom portion 525 adapted for smoothly rocking on a

flat surface when the pitch and roll of controller 500 is varied while resting on a flat surface. This can be a two position switch, where initial pressure on the switch activates the controller and causes the cursor to move in response to the controller, and a second position of the switch results in a "pick" or "select" signal being transmitted to the computer.

FIG. 6 is a top view of an alternative embodiment of the present invention. FIG. 7 is a top perspective view of the same embodiment. Specifically, FIGS. 6 and 7 illustrate a controller shaped so as to be hand held in a manner such that the palm will be facing down while controller 610 is resting on a flat surface. The under side of controller 610 is rounded to facilitate changes of its orientation with respect to vertical. A palm button 620 is actuated when the controller is grasped, thus permitting the controller to be deactivated, moved or reoriented, then reactivated. A pick button 630 is located for selective activation by a [users lingers] user's fingers in a manner similar to the use of a pick button on a mouse controller.--

Column 7, delete the paragraph between lines 13-34 and replace with:
--While the invention has been particularly taught and described with reference to the preferred embodiment, those versed in the art [rill] will appreciate that minor modifications in form and detail may be made without departing from the spirit and scope of the invention. For instance, although the illustrated embodiment teaches one system of shaft angle encoders,

many alternative systems could be used for detecting the orientation of the gyroscopic controller. Further, while the preferred embodiment [leaches] teaches a vertically oriented gyroscope and detection of two angles from vertical such as in an artificial horizon instrument. Other gyroscopic orientations, such as those used for directional gyroscopes, could be substituted. Further, while the present invention teaches the detection of two angles from a vertically oriented gyroscope and one angle from a horizontally oriented gyroscope, two angles could be detected from the horizontal gyroscope, and one from the vertical gyroscope. Further, many techniques equivalent [techniques] to the pendulous technique are known for orienting gyroscopes. Accordingly, all such modifications are embodied within the scope of this patent [as] and properly come within [our] my contribution to the art [and] as are particularly pointed out by the following claims.--

Attorney Vincent E. Duffy confirmed this amendment.

Telephone Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/14/09
/L. S./
Examiner, Art Unit 2629

/Richard Hjerpe/

Supervisory Patent Examiner, Art Unit 2629